

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>COLONIAL SCHOOL DISTRICT,</b>	:	
<i>Plaintiff</i>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	
<b>N.S., et al,</b>	:	<b>No. 19-1311</b>
<i>Defendants</i>	:	

**ORDER**

**AND NOW**, this 27th day of March, 2020, upon consideration of Plaintiff's Motion for Judgment on the Administrative Record (Doc. No. 16), Defendants' Motion for Judgment on the Administrative Record (Doc. No. 15), the Responses in Opposition (Doc. Nos. 17, 18), Defendants' Supplemental Brief (Doc. No. 23), and oral argument held on January 10, 2020, it is **ORDERED** that:

1. Plaintiff's Motion for Judgment on the Administrative Record (Doc. No. 16) is **GRANTED IN PART** and **DENIED IN PART** as set forth in the accompanying memorandum.
2. Defendants' Motion for Judgment on the Administrative Record (Doc. No. 15) is **GRANTED IN PART** and **DENIED IN PART** as set forth in the accompanying memorandum.
3. The Administrative Hearing Officer's Decision is **AFFIRMED IN PART** and **REVERSED IN PART** as set forth in the accompanying memorandum.
4. Judgment is **ENTERED** in favor of Defendants.
5. Plaintiff denied N.S. a free appropriate public education in violation of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400, *et. seq.*, from March 16, 2017 to the end of the 2016-2017 school year and during the entirety of the 2017-2018 school year.
6. Defendants are entitled to a compensatory education award in the amount of two hours per day for each day Plaintiff was in session from March 16, 2017 through the end of the

2016-2017 school year and two hours per day for each day Colonial was in session during the entirety of the 2017-2018 school year subtracted by 118 calendar days in which Colonial was in session. Defendants shall not be awarded 60 additional hours to account for Woodlynde's summer program. The compensatory education award shall be calculated as set forth in the accompanying memorandum.<sup>1</sup>

7. The parties shall confer within 21 days of the date of this order to agree on the manner in which the compensatory education will be provided. The parties shall promptly report to the Court the status of an agreement thereon.

8. Plaintiff shall reimburse Defendants \$786.01 for the expenses incurred related to N.S.'s private school placement as set forth in the accompanying memorandum.

9. Defendants shall submit a petition for attorneys' fees within 21 days of the date of this order. Plaintiff shall submit a response within 14 days of receipt of Defendants' petition.

**BY THE COURT:**



**GENE E.K. PRATTER**

**UNITED STATES DISTRICT JUDGE**

---

<sup>1</sup> This award of compensatory education is subject to the conditions set forth in ¶ 2(a)-(c) of the administrative hearing officer's order. Doc. No. 1 at 62.